

IV Statement of Claim:

On 9-1-2019, myself, Daniel J. Perry and my wife Amanda L. Perry were engaged by a Mauldin City police officer by the name of Justin Romero.

My wife and I were out of our vehicle with the vehicle off. We were "dumpster diving" which is not a crime or statute violation in South Carolina. As we were rumaging through a dumpster at a Goodwill located in Mauldin, SC, Officer Romero pulled up to our vehicle and activated blue lights.

As we were in a "S.H. Carter" construction trash dumpster where the Goodwill threw surplus goods away, we engaged with Romero when he got out of his patrol vehicle and advanced towards us. Though there was no legal or lawful "traffic stop" to be seen as considerate and cooperative my wife, Amanda L. Perry, provided Romero with her valid SCIDH.

Romero began demanding for me to "obey" him and provide him

a license or identification. An argument ensued since Romero could not tell us a statute that we were in violation of. The argument continued in which Romero demanded that I must obey him because he was in control and because S.C. was a "stop and i.d." state.

At this point Romero began to attempt to grab me yelling that he was pointing me in "investigatory detention." Again I demanded to be informed of what statute I or we were in violation of. Romero then told us that I was at fault for not producing i.d. in a "stop and i.d." state.

Knowing that S.C. is not a "stop and i.d." state and that we were committing no crime I told Romero to give my wife's license back due to him abusing us. Romero continued to try to grab and restrain me. Romero fought with me as I got into our vehicle and my wife began to film him trying to hit me and pull me from the vehicle.

Finally I had my wife get in the car and I succeeded at defending myself constitutionally from being molested by a police officer. As I drove away I immediately call "911" and made a complaint with Malden "911" Dispatch and requested that Officer Romero's supervisor call me back.

Not long after Sgt. K. Boyd, the shift supervisor of Officer Romero called me back. Sgt Boyd began yelling and telling me that she was now the one in control and she did not care to hear my complaint because according to her I had assaulted her officer. She continued to yell telling me that she would file every arrest warrant she could on me and my wife.

Sgt K. Boyd told me that she would always support her officers and cover for them and that S.G. was most definitely a "stop and id." style. She told us that maybe we should learn to respect police instead of defy them because they were the ones in control, not us.

I told K. Boyd that she was as unprofessional as her officer and that they also needed to return my wife's license. K. Boyd's response was that who ever wanted to come pick up the license could but they were going to be arrested.

Sgt Boyd made threats about warrants throughout the next days shift and the Malden Police refused to return my wife's license. Due to K. Boyd's threats and hostility we terminated the conversations and filed emailed complaints to the Chief of Police. The attitude of the Malden Chief was equally as negative and hostile as K. Boyd.

On 9-20-2019 Malden City served these warrants on me:

- (1) 2019A2320300198
- (2) 2019A2320300199
- (3) 2019A2320300204

"0198" alleges "resisting a stop" and contains no statute/ordinance code due to being termed "temporary offense." This warrant shows that it was entered by

by Officer Romero but that Sgt K. Boyd issued it.

"0199" alleges a "D.U.S." that once again Sgt K. Boyd issued but not with an affidavit by officer Romero. This warrant alleges that fellow officer Higerada "saw Daniel J. Perry operate" a motor vehicle.

"0204" alleges "Trespass of another's pasture lands." This warrant again uses officer Romero but reports an issue by Sgt. K. Boyd.

In regards to "0198" citizens are constitutionally allowed to defend themselves from illegal detention or arrest. By officer Romero not finding a statute violation his repeated tries to restrain me were an assault against my person by color of law.

In the Body Worn Camera of Romero of the incident, Romero's first comment is "oh, its just a couple dumpster divers." The final comment on the video is "No reason to follow up there was nothing going on."

The affidavit in the warrant misleads by saying "vandalizing the donation bins."

Which by Romero's comments and the video it is clear is not the case.

A charge or arrest must also be based off a violation of a statute or law. An arrest based off no violation is malicious. Since no actual violation occurred by my defending my persons rights this "charge" was then labeled "Temporary offense" due to no statute violation existing.

Regarding "0199" alleging "D.V.S." Also on 9-1-2019 Greenville Deputy Juan Olalde Jr stopped my vehicle and maliciously issued a invalid "D.V.S." warrant just as officer Romero. Invalid due to the fact that the warrants are issued to S.C. drivers and I am a Tennessee resident. As I possess a legal and valid TN DL under the S.C. Code 56-1-20 I cannot even possess a SCDL therefore no citations or warrants may lawfully be issued. As Mauldin officer Higerada did not stop my vehicle this officer cannot make a statement that he "saw Daniel J. Perry operate a motor vehicle." This affidavit is inadmissible since no legitimate traffic stop

was lawfully conducted in order to legally justify "police to citizen interaction."

These the warrants display that the "incidents" were on 9-1-2019 but neither was issued lawfully by a judge until 9-5-2019.

Regarding "0204" alleging "Trespassing on another's pasture lands." This is by far the worst stretch of police misconduct. In the S.C. Code of laws, this "Trespass" is listed before any "Trespass" that could have potentially been applied showing the continued intent to maliciously create charges as K. Boyd said she would do. This charge applies to agriculture and farmland after having been legally and previously notified. This warrant was not signed by a judge until 9-10-2019 again a questionable amount of time going by to get it issued.

By seeing the series "0204" it's clear that on 9-1-2019 this "Trespass" was a malicious afterthought to inflict harm intentionally.

On 9-1-2019 Mauldin officer

Justin Romero illegally attempted to detain me by assaulting me. After my phone complaint the police officers of the Mauldin city police department did conspire together to intentionally violate a U.S. citizen.

On 9-1-2019 I constitutionally defended my ground from an illegal Fourth Amendment action and violation by Romero. On 9-20-2019 being served these warrants inflicted a illegal seizure of my person as the basis was malicious.

Mauldin Chief Judge Martin did immediately release these charges on Personal Recognize on 9-21-2019.

These charges violate my Fourteenth Amendment when reviewed by the "shock the conscience" standard. By the video of Romero being knowledgeable of the "dumpsters" then both he and Sgt K. Boyd intentionally and falsely under affirmation stating "donation bins" it is clear that these charges were intentional to inflict harm.

The intentional harm being unlawful malicious arrest.

The B.W.C and Dash Cam provided by the prosecutor under S.C. Rule 5 Discovery shows the intent to harass my person and the conspiracy by law enforcement. However the city intends to continue after the attention was brought to the prosecutor that the actions and videos contradict.

By Sgt K. Boyd intentionally filing warrants to be malicious violating my Fourteenth Amendment, she caused an unreasonable Fourth Amendment violation evoking cruel treatment by intentional and wanton infliction of harm thus violating my Eighth Amendment.

It appears that Maudlin police have a history of abusing the public as a number were fired last year for actions of misconduct. By Sgt K. Boyd going above and beyond to involve multiple officers and use false affidavits tending to show perjury it displays a critical internal problem with their police force. Sgt K. Boyd was wanton in her willingness to maliciously retaliate on members of the community when a concern was voiced about misconduct.

As "0198" has no ordinance/statute listed, no violation has occurred. As the Greenville County General Sessions, of whom Mauldin jurisdiction belongs too, dismissed warrant 2019A2330207836 for "D.V.I.s" due to "legal issues" since I am not a state resident and cannot be issued warrants to state drivers information, then "0199" is of no legal standing. "0204" being out of series displays malicious intent.

These three warrants by Romero, Boyd and Higerada have caused upset and disrupted activity as they were alleged the reasoning or "probable cause" in other events. The conspiratory actions of police officers that are rippling into worsening events cannot be seen as minor in the events that effect citizens.

These Mauldin officers violations of my constitutional rights has caused deprivation of freedom and enjoyment of life and displayed gross negligence on their parts.